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Saturday, Oct. 21, 2017



## TODAY'S COLUMN

### MARCIA MOREY: Legislative leaders making power grab to control N.C. courts

*Editor's note: Marcia Morey is former Chief District Court Judge in Durham County and current member of the North Carolina House of Representatives.*

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I was headed home to Durham. It was just hours after the legislature eliminated judicial primaries next year by overriding Gov. Roy Cooper's veto. A reporter called asking my reaction to a bill that had just been filed.

"What new bill?" I asked.

The reporter wanted to know about [Senate Bill 698, euphemistically dubbed "Increase Voter Accountability of Judges."](#) It wipes out all judges' terms as of the last day of 2018. It forces them to run again, but not for terms of four or eight years, as constitutionally mandated, but a mere two.

My initial reaction was this had to be a joke. But I immediately realized this was an unprecedented power grab by the zealous GOP leadership to control of the judiciary. Their reach to scrape the bottom of the political barrel had just broken through the last board.

This [systematic attack on North Carolina's judiciary](#) by the power hungry oligarchy leading the General Assembly is a disgrace. Even former state [Supreme Court Justice Robert Orr, a Republican, labeled this latest initiative a "continued effort to try and intimidate the judiciary,"](#) in an interview

with N.C. Policy Watch. He found it repugnant.

Step by step, bill by bill, the courts are being dangled and toyed with by legislative puppet masters regardless of the fact that they are a constitutionally separate and co-equal branch of government.

This is not about better justice for North Carolinians. It is about the legislative leadership's anger over recent court decisions declaring many of their laws unconstitutional, particularly a decision that said they were voted into power by illegal, racially gerrymandered districts.

A parade of bills has undercut how we elect judges, where we elect judges and how long judges serve. Legislative leaders are determined to engineer judicial districts, pack the courts and shorten judicial terms all to tilt justice in their favor.

First came placing partisan labels on judicial election ballots – the antithesis to being fair and impartial arbiters of justice. In nearly 100 years, North Carolina became the only state in the country to move towards partisan elections.

Next came the judicial district maps. With three days remaining in the legislative session, new maps were tweeted out – gerrymandered to guarantee the election of more Republicans and fewer African-Americans. It didn't stop there.

Earlier this month, amid yet another special legislative session, [Senate Bill 656](#) was plopped onto our desks. It eliminated all judicial primaries in 2018, anticipating a-yet-to-be-filed constitutional amendment to take away voters' rights to elect judges and replace it with a probable scheme for legislative appointment of all future judges. Eliminating primaries would force voters to pick from perhaps dozens of candidates with "winners" who could garner merely 20 percent of the vote. What kind of "accountability" is that?

This latest proposed constitutional amendment takes the cake. No other state in the country has two-year terms for judges. This proposal, offered up by Sen. Bill Rabon, a veterinarian, would force judges and justices to continuously campaign for re-election rather than doing their work on the bench -- deciding child custody cases, upholding abused children's rights, hearing criminal cases and deciding appeals.

Courtrooms throughout North Carolina are jammed with people seeking resolutions to pressing legal matters. They want fair and impartial justice. People deserve better than having judges as red and blue politicians constantly campaigning, raising money, and fearful of making tough legal decisions that could cost them their seats on the bench.

Our fair and independent judicial system is at risk. People deserve experienced judges and justices, elected by the voters to dispense justice and interpret the laws – not to hand out campaign buttons and bumper stickers.

Last April I left the bench after 18 years as a District Court judge in Durham County to be appointed to a vacancy in the House of Representatives. I loved my work in the courts, but I could no longer silently watch the dismantling of our judiciary. I will continue to speak out. Governing should be about upholding justice, not punishing judges.



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# Opinion Roundup

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**Saturday, Oct. 21, 2017** -- A roundup of opinion, commentary and analysis on slow statewide job growth in 2017, a concerning revelation about N.C.'s veteran suicide rates, a group of county leaders who spoke out against a pipeline project and more.

## **POLITICS & POLICY**

**JOHN QUINTERNO: Job Growth In North Carolina Slowed In Sept** (*South by North Strategies analysis*) -- 2017 is well on its way to being the worst year for statewide job growth since the start of the recovery from the 'Great Recession.' Over the first nine months of the year, North Carolina has netted a total of 39,800 payroll jobs, which is the smallest net gain posted during the first three-quarters of a year since 2011.

**ALLAN MAURER: NC Biotech Center event plants the seed for RTP high-tech tree startup**(*WRAL-TV/TechWire column*) -- An appearance at a North Carolina Biotechnology Center event in 2016 convinced the CEO of a high-tech ag biotech startup to move his company from Massachusetts to the Research Triangle. Here's the story.

**CARA LOMBARDO: Wisconsin's FoxConn Deal Highlights How States Use Cash To Sweeten Bids** (*Wall Street Journal analysis*) -- Wisconsin's \$3 billion bid this summer to land Foxconn Technology Group's first major U.S. factory looked smaller than that of a neighboring state's, but included an increasingly popular feature that likely made the difference: cash. Cash

that were due this week from cities eager to house its second headquarters,

**Legislature sows disorder in court** (*Greensboro News & Record*) -- Republican legislators just granted easier ballot access to unaffiliated candidates. Except for unaffiliated candidates who want to run against them.

**Republicans politicizing state courts** (*Wilmington Star-News*) -- The General Assembly's efforts to dismantle North Carolina's court system continue apace. The Honorables just passed (over Gov. Roy Cooper's veto) a bill canceling the 2018 primaries for judicial races. This turns elections for state judges next year into a free-for-all, with voters having to choose among possibly six or eight candidates for dozens of judicial seats.

**WILL MICHAELS: UNC's Center For Civil Rights Lawyers Lose Jobs, Plan To Continue Mission** (*WUNC-FM analysis*) -- Two attorneys at the UNC Center for Civil Rights say they plan to carry on the center's mission despite losing their positions. Managing attorney Mark Dorosin and attorney Elizabeth Haddix recently got termination notices from the university, effective in January. They come a month after the UNC Board of Governors voted to ban the center from future litigation. Supporters of the ban said university centers should not be allowed to sue other state entities. Dorosin maintains the decision was ideological.

**STEVE HARTSOE: Duke alum shares insights from Trump White House** (*Duke News column*) -- Inside the Trump administration, there's more collaboration than what the media would lead you to believe. With Congress, "It's less partisan than you'd think." Those are two of the insider views shared Thursday by Paul Teller, a 1993 Duke graduate who now works as special assistant to the president for legislative affairs. He is the White House's liaison to House and Senate conservatives and to conservative groups.

**SUSAN LADD: When a woman says 'me, too' that can take on many meanings** (*Greensboro News & Record column*) -- Oppression is constructed with an entire spectrum of experiences that don't fit into the categories of sexual discrimination, harassment and assault.

**'We are heartbroken.' The stories of Charlotte's 73 homicide victims this year.** (*Charlotte Observer analysis*) -- Charlotte, NC, is on track to see more homicides in 2017 than any time in the past two decades. Here are the victims' stories.

## **HEALTH**

**ALEXANDRIA BORDAS: Veteran suicide numbers in NC soar above national average** (*Asheville Citizen-Times analysis*) -- Veterans in North Carolina committed suicide at a rate comparable with veterans nationwide, but at a rate more than double that of the general population. The U.S. Department of Veterans Affairs recorded 249 veteran suicide deaths in North Carolina in 2014, more than double the number of veteran suicides reported in the same year in neighboring South Carolina. The state-by-state veteran suicide data, updated again in 2017, was re-released in September. It represents the largest report ever compiled on veteran suicides.

**County leaders stand up for residents stuck in gas pipeline's path** (*Wilson Times*) -- In a symbolic but still significant move, the county Board of Commissioners met Tuesday to sign off on a resolution expressing concerns about the Atlantic Coast Pipeline following a groundswell of public opposition to the project.

**AND MORE**

**JOE JOHNSON: Who's getting NC's top civilian award? 2 from Durham, 1 from Chapel Hill** (*Durham Herald-Sun column*) -- Two people from Durham and another from Chapel Hill will receive North Carolina's highest civilian honor next month from Gov. Roy Cooper. Durham architect Philip Freelon, founder of The Freelon Group, former U.S. Attorney General Loretta Lynch, who is from Durham, and political and digital communications pioneer Jane Smith Patterson of Chapel Hill are among the six recipients of the North Carolina Award. The other honorees are Margaret Donovan Bauer of Greenville for literature, R.K.M. Jayanty of Cary for science, and James H. Woodward of Charlotte for Public Service.

**CAROLINE HUDSON: Jimmy Buffett's new boat design ready for the water** (*Washington Daily News column*) -- "Sail away, that's the way I survive. Sail away, that's just no shuck and jive. It just makes my whole life come alive." World-renowned musician Jimmy Buffett said, or rather sang, it best. "Sail away" is exactly what he'll be doing in a new \$3 million, 48-foot Surfari. Buffett's new ride was designed and built right here in Washington at Pacific Seacraft. The entire process was about a two-year process, according to Steve Brodie, owner of Pacific Seacraft.

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